

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CENTRAL PROGRESSIVE BANK

**PLAINTIFF/
COUNTER-DEFENDANT/
COUNTER-PLAINTIFF**

VS.

CIVIL ACTION NO. 1:10-CV-00559-HSO-JMR

**ROBERT T. WINDHAM AND
WILLIAM MICHAEL ADKINSON**

**DEFENDANTS/
COUNTER-PLAINTIFFS**

AND

DAVID E. FLEISHER

**DEFENDANT/
COUNTER-PLAINTIFF**

AND

LEE F. KENNEDY

**DEFENDANT/
COUNTER-PLAINTIFF**

VS.

MISSISSIPPI INVESTORS VI, LLC

**THIRD-PARTY DEFENDANT/
CROSS-CLAIMANT/**

Order

THIS CAUSE having come before the Court on motion of Adams and Reese LLP, pursuant to Rule 25(c) of the Federal Rules of Civil Procedure, (1) to permit it, and specifically its attorneys James J. McNamara IV and Laura F. Rose, to withdraw as counsel of record for the closed Central Progressive Bank; (2) to substitute HCB Financial Corp. as party Plaintiff; and (3) to enter an appearance on behalf of HCB Financial Corp., and the Court, having considered the matter and being fully advised in the premises, finds as follows:

1. Plaintiff Central Progressive Bank filed its Amended Complaint on April 14, 2011.
2. By order dated November 18, 2011, the 22nd Judicial District Court of St. Tammany Parish, Louisiana, closed Central Progressive Bank, ordered its liquidation, and appointed the FDIC as receiver.
3. HCB Financial Corp. is the current holder of the note and guaranty agreements, having acquired same from First NBC Bank, as Assuming Institution from the FDIC as Receiver pursuant to a Purchase and Assumption Agreement Whole Bank dated November 18, 2011, with the said note and guaranty agreements forming the basis of the Amended Complaint.
4. Rule 25(c) of the Federal Rules of Civil Procedure provides that when there is a transfer of interest, the Court may substitute the transferee as the party litigant.
5. Due to the closure of Central Progressive Bank, and the fact that HCB Financial Corp. is the current holder of the note and guaranty agreements that form the basis of this litigation, HCB Financial Corp. should be substituted as the party plaintiff.

IT IS, THEREFORE ORDERED AND ADJUDGED that the motion is hereby granted.

Adams and Reese LLP is hereby permitted to withdraw as counsel of record for the closed Central Progressive Bank. HCB Financial Corp. is substituted as party plaintiff and an appearance on its behalf by Adams and Reese LLP is hereby entered.

SO ORDERED AND ADJUDGED on this the 21st day of May, 2012.

John M. Roper, Sr.
CHIEF UNITED STATES MAGISTRATE JUDGE

Presented by:

s/ Laura F. Rose

James J. McNamara, IV (MS Bar No. 100690)

Laura F. Rose (MS Bar No. 102256)

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